

FILED  
HARRISBURG, PA

JAN 23 2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIASADEEN JONES,  
Plaintiff,

v.

MARK C. GARMAN, *et al.*,  
Defendants,CIVIL NO. 1:21-CV-01715-<sup>PER</sup><sub>JPL</sub> DEPUTY CLERK

(MAGISTRATE JUDGE CARLSON)

JUDGE JENNIFER P. WILSON

AND NOW, on this 20th day of January, 2023 I, Plaintiff received an **ORDER** from Judge Jennifer P. Wilson suggesting that the defendants shall now file an answer to my remaining claims.

The defendants in this case was given more than enough time to file an answer to the Report And Recommendations after (Magistrate Judge Carlson's) report on the 10th Day of May 2022.

The defendants did not challenge Plaintiff's 8th Amendment claim, and as Magistrate Judge Carlson clearly explains and stated in the Report And Recommendation as follows.

**{Procedural Due Process Rights are (only) triggered by deprivation of a legally cognizable liberty interest. For a prisoner, such a deprivation occurs when the prison "imposes atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life.**

**We recognize that in Thomas, the court of appeals analyzed this claim under the 8th Amendment, and we acknowledge that the Defendants have Prudently elected not to challenge Jones 8th Amendment claim in their MOTION TO DISMISS. Nonetheless, we find that the Thomas decision is also an APT Yardstick for measuring whether Plaintiff was exposed to atypical and significant hardship in relation to the ordinary incidents of prison life, the benchmark standard for Due Process claims. Indeed, it would be anomalous to say that the conduct could plausibly constitute cruel and unusual punishment but did not rise to the level of an atypical and significant hardship on the Plaintiff.}**

Plaintiff comes before the court today asking and seeking that we move this case forward.

Defendants had ample amount of time to initially challenge Plaintiff's claims and to adhere to both of the ORDERS issued by the courts on June 2nd, 2022 and most recently on January 3rd, 2023, however, Defendants failed to do so, for which they had already conceded to plaintiff's claims by not initially challenging. To allow this delay is giving the Defendants a do-over and it sets this case back.

SADEN JONES #DW1963

1111 ALTAMONT BLVD

PRACKVILLE PA. 17931

CIVIL NO. 1:21-CV-01715

DEAR CLERK,

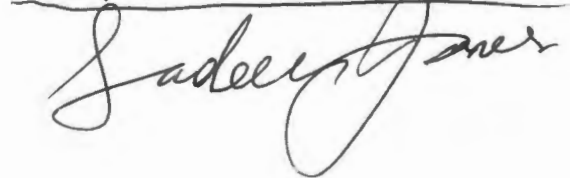
JANUARY 20TH, 2023

HELLO, I WRITE TO YOU ASKING THAT YOU FORWARD THIS RESPONSE  
MOTION TO THE CORRECT PARTIES INVOLVED.

THANK YOU SO VERY MUCH FOR YOU TIME AND ASSISTANCE  
CONCERNING THIS MATTER.

SINCERELY YOURS!

SADEN JONES

A handwritten signature in cursive script, appearing to read 'Sadeen Jones', written over a horizontal line.

Ms. Jodeen Jones #DW-1963  
1111 ALTAMONT BLVD  
FRACKVILLE, PA. 17931

INMATE MAIL  
PA DEPT OF  
CORRECTIONS



quadiant  
FIRST-CLASS MAIL  
IMI  
**\$000.57**<sup>9</sup>  
01/20/2023 ZIP 17932  
043M31230995

US POSTAGE

RECEIVED  
HARRISBURG, PA  
JAN 23 2023

PER \_\_\_\_\_  
DEPUTY CLERK

OFFICE OF THE CLERK  
U.S. COURTHOUSE  
228 WALNUT STREET  
P.O. BOX 983  
HARRISBURG, PA. 17108

1710830983 B011

